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TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

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MAY 11 2001

In re Application of:
DAY, RICHARD DAVID, *et al.*
Application No. 09/648,420
Filed: 08/28/2000
Attorney Docket No. 20533-000210

OFFICE OF PETITIONS
A/C PATENTS
DECISION GRANTING
PETITION

This is a decision on the petition under 37 C.F.R. §1.10(c), filed on March 26, 2001, requesting that the above-identified application be accorded a filing date of August 23, 2000, rather than the presently accorded filing date of August 28, 2000.

Petitioner alleges that the application was deposited in Express Mail service on August 23, 2000. In support, the petition is accompanied by a copy of Express Mail receipt no. EL496155546US (the same Express Mail number found on the original application papers located in the official file) showing a "date in" of August 23, 2000.

In view of the above, *this petition is* **GRANTED**.

This application will be returned to Initial Patent Examination Division for correction of the filing date to August 23, 2000.

Telephone inquiries concerning this matter may be directed to Petitions Attorney Scott M. Ledford in the Office of Petitions at (703) 306-5593.

Beverly Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Assistant Commissioner
for Patent Examination Policy